

**BEFORE THE BOARD OF OIL, GAS, AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the Matter of the Request for Agency Action by Utah Portland Quarries, Inc., for an Extension of the Suspension Period under the Approved Notice of Intention for the **Little Mountain Quarry** Mining Operation in Tooele County, Utah

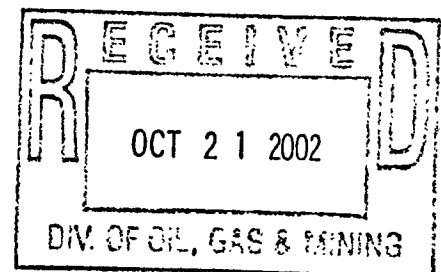
Consolidated With

In the Matter of the Request for Agency Action by Utah Portland Quarries, Inc., for an Extension of the Suspension Period under the Approved Notice of Intention for the **Quarry Antone** Mining Operation in Tooele County, Utah

Withdrawal of Requests for Agency Action

Docket No. 2002-017
Cause No. M/045/005

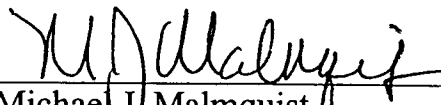
Docket No. 2002-018
Cause No. M/045/021



Utah Portland Quarries, Inc. ("Utah Portland") hereby withdraws the above-referenced Requests for Agency Action. Based upon discussions between Utah Portland, the Division, and their counsel, it has been determined that the mines involved in the two Requests are governed by the pre-1988 Division rules, not the current Division rules, and that under the applicable rules no hearing is required.

Respectfully submitted this 18th day of OCTOBER, 2002.

PARSONS BEHLE & LATIMER



Michael J. Malmquist
Attorney for Utah Portland Quarries, Inc. &
Lone Star Industries, Inc.

Address of Petitioner:
Utah Portland Quarries, Inc.
10401 N. Meridian St., Suite 400
Indianapolis, IN 46290

Address of Petitioner's Attorney
Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111

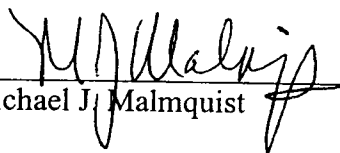
CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of October, 2002, I caused to be mailed, postage prepaid, a true and correct copy of the foregoing **Withdrawal of Requests for Agency Action (M/045/005 – No. 2002-017 & M/045/021 – No. 2002-018, Consolidated)** to:

D. Wayne Hedberg
Permit Supervisor
Mineral Regulatory Program
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, Utah 84114-5801

Kurt E. Seel
Assistant Attorney General
160 East 300 South, 5th Floor
P. O. Box 140815
Salt Lake City, UT 84114-0815
Attorney for the Board of Oil, Gas & Mining

Steven F. Alder, Esq.
Assistant Attorney General
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
Attorney for the Division of Oil, Gas & Mining



Michael J. Malmquist